

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KEVIN HEIKKINEN,

Plaintiff,

Case No. 19-cv-12571

Hon. Matthew F. Leitman

v.

FIVES CINETIC CORP.,

Defendant.

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**ORDER ON MOTIONS (ECF Nos. 7 and 10)**

The following motions are pending before the Court: Defendant's Motion to Dismiss Plaintiff's Complaint (ECF No. 7) and Plaintiff's Motion for Leave to File a Second Amended Complaint (ECF No. 10). The Court held a status hearing on February 3, 2020, to discuss the motions. For the reasons stated on the record, Defendant's Motion to Dismiss (ECF No. 7) is **DENIED**, and Plaintiff's Motion for Leave to File a Second Amended Complaint (ECF No. 10) is **GRANTED**. Plaintiff shall file his Second Amended Complaint by **February 14, 2020**.

As further stated on the record, Defendants may raise any attack on Plaintiff's state law claims (and, of course, on Plaintiff's federal claim) at the summary judgment stage of litigation.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: February 3, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 3, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager  
(810) 341-9764